

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1547.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION AND MISBRANDING OF VINEGAR.

On July 31, 1911, the United States Attorney for the Southern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 35 barrels of vinegar, remaining unsold in the original unbroken packages and in possession of Charles Hewitt Sons Co., a corporation, Des Moines, Iowa, alleging that the product had been shipped on or about June 26, 1911, by the Central City Pickle Co., Peoria, Ill., and transported from the State of Illinois into the State of Iowa, and charging adulteration and misbranding in violation of the Food and Drugs Act. Each barrel was branded: "Charles Hewitt Sons Co., Distributors, Opal Brand, Pure Cider Vinegar, Des Moines, Iowa."

Adulteration was alleged in the libel for the reason that the product was not pure cider vinegar but, in truth and in fact, a mixture of a dilute solution of acetic acid, made from substances other than cider and a foreign substance high in reducing sugars and prepared in imitation of true cider vinegar for which it had been substituted. Misbranding as to the character of the contents of the barrels was alleged for the reason that the labeling of said barrels as containing pure cider vinegar, whereas certain substances had been substituted therefor, wholly or in part, was misleading and false and was such as to mislead and deceive the purchaser and to enable the offering of the contents for sale as being pure cider vinegar, when in truth and in fact the same was not such as was offered for sale.

On December 2, 1911, judgment of condemnation and forfeiture was entered and it was further ordered that unless bond in conformity with section 10 of the Act, fixed by the court at \$500, was given within ten days the product should be destroyed. On January 18, 1912, the foregoing judgment was vacated and it was ordered that the product should be sold to pay the costs of the proceedings.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., May 14, 1912.